

2. Section 1601.74(a) is amended by adding in alphabetical order the following agency:

§ 1601.74 Designated and notice agencies.

(a) * * *
Prince William County (VA) Human Rights Commission
* * * * *

Signed at Washington, DC, this 15th day of April, 1994.

For the Commission.

James H. Troy,

Director, Office of Program Operations.

[FR Doc. 94-9481 Filed 4-19-94; 8:45 am]

BILLING CODE 6750-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IL89-1-6199; FRL-4875-4]

Approval and Promulgation of Implementation Plans; Illinois

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: On November 18, 1993, the State of Illinois submitted a State Implementation Plan (SIP) revision request to the United States Environmental Protection Agency (USEPA) in response to USEPA's September 22, 1993 proposed sulfur dioxide (SO₂) nonattainment designation for Alton Township, Madison County. This revision request, which limits the SO₂ emissions from the Laclede Steel Co. facility, is being approved because it corrects modeled ambient air quality noncompliance and comports with USEPA's requirements regarding Federal enforceability. Because USEPA considers this finding to be noncontroversial, final action is being taken without prior proposal. Also, as a consequence of the approval of the SIP revision request submitted by the State, the proposed nonattainment designation for Alton Township becomes moot.

DATES: This final rule will be effective June 20, 1994 unless notice is received by May 20, 1994 that someone wishes to submit adverse comments. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Copies of the revision request and USEPA's analysis are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation

Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone Rosanne M. Lindsay at (312) 353-1151 before visiting the Region 5 Office.)

Written comments should be sent to J. Elmer Bortzer, Chief, Regulation Development Section, Regulation Development Branch (AR-189), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Rosanne M. Lindsay at (312) 353-1151.
SUPPLEMENTARY INFORMATION:

I. Summary of State Submittal

On November 18, 1993, the Illinois Environmental Protection Agency (IEPA) submitted a SIP revision request in response to USEPA's intention to designate Alton Township as nonattainment for sulfur dioxide (SO₂) (see 58 FR 67334, December 21, 1993). The submittal corrects modeled SIP deficiencies by limiting SO₂ emissions from the boilers and reheat furnaces at the Laclede Steel Co. facility (Laclede Steel), requiring them to use only natural gas and distillate oil. These restrictions on Laclede Steel, which include recordkeeping and reporting requirements, are incorporated into a federally enforceable State operating permit (FESOP) for Laclede Steel pursuant to the State FESOP program, approved by USEPA on December 17, 1992. The modeling and emission inventory included in the submittal demonstrate that the control measures at Laclede Steel address those SIP deficiencies identified by USEPA, which led to USEPA's proposed nonattainment designation of Alton Township.

II. Analysis of State Submittal

The USEPA has undertaken its analysis of the revision request based on a review of the modeling, emission inventory, and the emission limitations for Laclede Steel.

A. Review of Modeling and Emission Inventory

Modeling consistent with USEPA guidance was performed with regard to Alton Township under a contract reviewed by USEPA. The current version of the Industrial Source Complex Short Term (ISCST) model was used with 5 years of representative meteorological data from St. Louis, Missouri. The attainment demonstration used a set of receptor arrays with resolution of 100 meters. The Alton area contains some portions of complex terrain. The ISCST model and the Complex-I model were evaluated for use

with the local terrain. ISCST was determined to provide the most conservative estimations, and was therefore used throughout the attainment demonstration for receptors at all terrain evaluations.

The modeling study initially included only the SO₂ emissions from the 8 SO₂-emitting facilities in Alton Township and the Union Electric Power Plant in Portage des Sioux Township, Missouri. The boilers which were included in the modeling were screened to determine the load which gave the worst emissions. All boilers were found to cause the greatest ambient impacts at maximum capacity, and were modeled accordingly. Background SO₂ concentrations were determined using ambient data from local air quality monitors correlated with hourly wind direction measurements.

It was determined that attainment of the SO₂ NAAQS could be demonstrated if a set of emission reductions at the Laclede Steel facility in Alton Township were in place. These emission reductions have been incorporated into the Laclede Steel facility FESOP. Once the attainment strategy for the Alton Township sources had been developed, the effect of the SO₂ emissions from these facilities located in adjacent Wood River Township, Illinois, was taken into account. The final model runs predicted that the combined emissions from Laclede Steel, with the applicable emission reductions in place, the other Alton area sources, and the Wood River sources would not violate the NAAQS.

B. Review of the Emission Limitations

The IEPA has satisfied the requirements for the submittal of a revision request through the issuance of an operating permit with federally enforceable conditions (Application No. 930700200). The permit was given public notice and was made available for public comment. The conditions of the permit limit emissions of sulfur dioxide from existing boilers and reheat furnaces at Laclede Steel by restricting fuel usage to natural gas and distillate fuel, only. These restrictions will ensure compliance with the NAAQS for the area. The permit also contains recordkeeping and reporting requirements for the equipment identified, the fuel received and burned at the facility, and any exceedance or violation of the requirements. The entire submittal, including modeling and emission inventory, has been reviewed against Federal air pollution control regulations, including the Clean Air Act, and conforms to the requirements for Federal enforceability.

III. Final Rulemaking Action

Based on the consideration of materials submitted by the State of Illinois, which rectify modeled ambient air quality violations identified in a September 22, 1993 proposed rule, USEPA has determined that this SIP revision request for Laclede Steel is approvable. The proposed redesignation of Alton Township is rendered moot as a consequence of this approval.

Because USEPA considers this action noncontroversial and routine, we are approving it today without prior proposal. The action will become effective on June 20, 1994. However, if we receive notice by May 20, 1994 that someone wishes to submit adverse comments, then USEPA will publish: (1) A document that withdraws the action; and (2) a document that begins a new rulemaking by proposing the action and establishing a comment period.

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989, (54 FR 2214-2225). A revision to the SIP processing review tables was approved by the Acting Assistant Administrator for Office of Air and Radiation on October 4, 1993 (Michael Shapiro's memorandum to Regional Administrators). A future document will inform the general public of these tables. Under the revised tables this action remains classified as a Table 2. On January 6, 1989, the Office of Management and Budget (OMB) waived Table 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of 2 years. USEPA has submitted a request for a permanent waiver for Table 2 and 3 SIP revisions. The OMB has agreed to continue the waiver until such time as it rules on USEPA's request. This request continued in effect under Executive Order 12866 which superseded Executive Order 12291 on September 30, 1993.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any SIP. USEPA shall consider each request for revision to the SIP in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, USEPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. (5 U.S.C. 603 and 604.) Alternatively, USEPA may certify that the rule will not have a significant impact on a substantial

number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of the State action. The Clean Air Act forbids USEPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. USEPA*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2). Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 20, 1994. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Sulfur oxides

Dated: April 6, 1994.

Valdas V. Adamkus,
Regional Administrator

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

Subpart O—Illinois

2. Section 52.724 is amended by adding paragraph (g) to read as follows:

§ 52.724 Control strategy: Sulfur dioxide.

(g) Part D—Approval—The State plan for Alton Township, Madison County, which consists of a federally Enforceable State Operating Permit

controlling sulfur dioxide emissions from the boilers and reheat furnaces at Laclede Steel, which was submitted on November 18, 1993, is approved.

[F.R. Doc. 94-9441 Filed 4-19-94; 8:45 am]

BILLING CODE 6840-60-F

40 CFR Part 52

[PL 94-1-6356; FRL-4876-5]

State Implementation Plan Inadequacy, Call for SIP Revision; Illinois

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Call for revision.

SUMMARY: The USEPA hereby gives notice that it has formally notified the Governor of the State of Illinois by letter dated March 22, 1994, that the Illinois State Implementation Plan (SIP) is substantially inadequate under the Clean Air Act (the Act) to attain and maintain the National Ambient Air Quality Standards (NAAQS) for lead in an area of Madison County, Illinois; and called for the State to submit to USEPA a SIP revision to correct this deficiency (the SIP call).

DATES: USEPA has requested that the State of Illinois submit an action plan by May 28, 1994 (60 days from receipt of SIP call letter), for the development of the SIP revision to correct the SIP deficiencies in the area of Madison County, Illinois. The State must correct the plan deficiencies and submit its finally adopted Madison County area lead plan to the USEPA by September 28, 1994, (108 months from receipt of SIP call letter).

ADDRESSES: Copies of the documents associated with this informational notice are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone Rosanne M. Lindsay at (312) 353-1151 before visiting the Region 5 Office.)

Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Regulation Development Branch (AR-189), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Rosanne M. Lindsay at (312) 353-1151. (Reference file IL94-1-6356).

SUPPLEMENTARY INFORMATION: Section 110 of the Act, 42 U.S.C. 7410, requires each State to adopt plans which provide for the attainment and maintenance of the NAAQS. In response to these